

### REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 18-23 have been canceled in favor of new claims 24-29. Support for the subject matter of the new claims is provided at least in Figs. 1 and 2, claims 1-23, and the specification on page 8, line 14, through page 12, line 1. These amendments were not presented earlier due to the unforeseeability of the remarks presented in the Final Rejection.

Claims 18-23 were rejected, under 35 USC §103(a), as being unpatentable over Kobayashi et al. (US 6,246,732) in view of Webb (US 5,483,557). To the extent these rejections may be deemed applicable to new claims 24-29, the Applicants respectfully traverse based on the points set forth below.

Claim 24 recites a feature of selecting, based on channel quality, either equalization or RAKE reception for processing a received signal. In an exemplary but non-limiting embodiment of the claimed invention (see specification page 8, line 14, through page 12, line 1), equalization processing is performed when the channel quality is good and RAKE reception is performed when the channel quality is poor. Thus, with the claimed invention, it is

not necessary to perform the unselected processing, so that power consumption can be reduced.

By contrast to the above-noted claimed subject matter, Kobayashi discloses selecting whether or not to use an equalized reception signal in accordance with whether a delay spread of the received signal exceeds a threshold value (see Kobayashi col. 11, lines 29-49). Kobayashi does not disclose selecting between two kinds of reception-processing receivers as proposed in the Final Rejection (see Final Rejection section 2, lines 3-8). Instead, the effect of switch 34, discussed in the Final Rejection, is to bypass the equalization processing performed on the received signal so as to obtain the received signal directly from reception filter 42, when equalization is not necessary (see Kobayashi Fig. 9 and col. 11, lines 29-49).

Webb discloses employing RAKE reception when the channel quality is poor (see Webb Fig. 2 and col. 4, lines 23-33), and Kobayashi discloses performing equalization processing when the channel quality is poor (see Kobayashi Fig. 9 and col. 11, lines 29-49). Therefore, combining the teachings of Webb with those of Kobayashi to modify Kobayashi's device in the manner proposed in the Final Rejection (see Final Rejection page 3, first paragraph) would have the effect of substituting Webb's RAKE receiver 25 for Kobayashi's adaptive equalizer 33. Thus, the proposed

modification would not achieve the Applicants' claimed feature of selecting between RAKE reception and equalization.

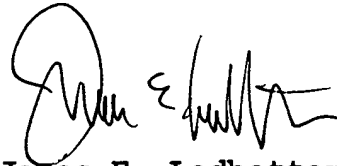
Moreover, Kobayashi's adaptive equalizer 33 always performs equalization processing on the received signal provided by reception filter 42, although the throw position of switch 34 determines whether the unequalized or equalized received signal is provided to symbol decision unit 51 and decoder 52. Thus, simply substituting Webb's RAKE receiver for Kobayashi's equalizer, as proposed in the Final Rejection, would not provide the ability to disable the unselected reception processing, so that power consumption may be reduced as with Applicants' claimed device. As a result, modifying Kobayashi's receiver based upon the teachings of Webb neither achieves the claimed subject matter nor the benefits derived therefrom.

Accordingly, the Applicants respectfully submit that the applied references, considered individually or in combination, do not render obvious the subject matter defined by claim 24. Independent claim 27 similarly recites the above-mentioned feature distinguishing apparatus claim 24 from the applied references, although with respect to a method. Therefore, allowance of claims 24 and 27 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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